

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office OCT 30 2002

Returned to applicant for correction NOV 13 2002

Corrected application filed NOV 21 2002

Map filed NOV 21 2002

The applicant **Tosco Corporation** hereby make 1 application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is **0.050** second-feet
 - (a) If stored in reservoir give number of acre-feet **Not Applicable**
3. The water to be used for **Groundwater Remediation**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **Not Applicable**
 - (b) Stockwater, state number and kinds of animals to be watered **Not Applicable**
 - (c) Other use (describe fully under No. 12. "Remarks") **Groundwater Remediation**
 - (d) Power:
 - (1) Horsepower developed **Not Applicable**
 - (2) Point of return of water to stream **Not Applicable**
5. The water is to be diverted from its source at the following point **See Attached Figure.**
6. Place of Use **Range 61 East, Township 21 South, Section 3, Southwest ¼, Southwest ¼. Right-of-way, immediately adjacent to 2116 Paradise Road (Well MW-12) Right-of-way, immediately adjacent to 2124 Paradise Road (Wells MW-8, VMP-3, VMP-4, and VMP-5) Right-of-way, immediately adjacent to 2300 Santa Clara Drive (Well MW-10)**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Using a vacuum truck, a one-inch diameter stinger will be lowered into the existing two-inch diameter monitoring wells. Groundwater will be pumped out of the monitoring wells.**
9. Estimated cost of works **\$0.00 – Mobile equipment will be used by the contractor.**
10. Estimated time required to construct works **Not Applicable**
11. Estimated time required to complete the application of water to beneficial use **Three years or until groundwater concentrations meet levels acceptable to NDEP.**
12. Remarks: **Groundwater will be extracted from six monitoring wells using a vacuum truck. Groundwater will be transported offsite for treatment and disposal.**

By **s/James F. Trotter**
1500 North Priest Drive
Tempe, Arizona 85281

Compared cmf/cac dr/cmf
Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This environmental permit is issued subject to existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance for pollution control as mandated by orders issued by the Nevada Division of Environmental Protection and subsequent correspondence with said agency. The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and records of this measurement shall be submitted on an annual basis. It is also understood that this right must allow for a reasonable lowering of the static water level of permittee's well due to other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of water granted herein at any and all times.

This environmental permit is issued pursuant to the provisions of NRS 533.4375. Well drillers reports for any well(s) drilled under this permit shall be filed within 30 days from the completion of the well.

Within 30 days after the completion of the project, the permittee shall notify the State Engineer of such completion and all wells shall be plugged and abandoned in accordance with Chapter 534 of the Nevada Administrative Code.

This environmental permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this environmental permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.05 cubic feet per second, but not to exceed 36.2 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

ENVIRONMENTAL *

* The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection.

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 30th day of January A.D. 2003


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Amended Attachment

VMP-4
 SW ¼ SW ¼ Section 3, T. 21 S., R. 61 E., M.D.B.&M., or at
 a point from which the CENTER ¼ corner of (said) Section 3, T. 21 S.,
 R. 61 E., M.D.B.&M. bears N46°36'05"E a distance of
 3,123.53 feet.

VMP-3
 SW ¼ SW ¼ Section 3, T. 21 S., R. 61 E., M.D.B.&M., or at
 a point from which the CENTER ¼ corner of (said) Section 3, T. 21 S.,
 R. 61 E., M.D.B.&M. bears N46°33'24"E a distance of
 3,132.30 feet.

VMP-5
 SW ¼ SW ¼ Section 3, T. 21 S., R. 61 E., M.D.B.&M., or at
 a point from which the CENTER ¼ corner of (said) Section 3, T. 21 S.,
 R. 61 E., M.D.B.&M. bears N46°31'00"E a distance of
 3,316.97 feet.

MW-12
 SW ¼ SW ¼ Section 3, T. 21 S., R. 61 E., M.D.B.&M., or at
 a point from which the CENTER ¼ corner of (said) Section 3, T. 21 S.,
 R. 61 E., M.D.B.&M. bears N47°03'30"E a distance of
 3,044.18 feet.

MW-8
 SW ¼ SW ¼ Section 3, T. 21 S., R. 61 E., M.D.B.&M., or at
 a point from which the CENTER ¼ corner of (said) Section 3, T. 21 S.,
 R. 61 E., M.D.B.&M. bears N46°27'45"E a distance of
 3,146.30 feet.

MW-10
 SW ¼ SW ¼ Section 3, T. 21 S., R. 61 E., M.D.B.&M., or at
 a point from which the CENTER ¼ corner of (said) Section 3, T. 21 S.,
 R. 61 E., M.D.B.&M. bears N41°44'12"E a distance of
 2,973.44 feet.

¼ Section , T. S., R. E., M.D.B.&M., or at
 a point from which the corner of (said) Section , T. S.,
 R. E., M.D.B.&M. bears a distance of
 feet.